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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,674	10/22/2001	Anders Olsson	2183.300.003	8284

27189 7590 02/07/2007
PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
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EXAMINER

ELISCA, PIERRE E

ART UNIT	PAPER NUMBER
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3621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/037,674	OLSSON ET AL.	
	Examiner	Art Unit	
	Pierre E. Elisca	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 34-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 34-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to Applicant's response filed on 11/14/2006.
2. Claims 1-21, and 34-39 are pending. Claims 22-33 are cancelled.

Claim Rejections - 35 USC § 102

3. following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

4. Claims 1-21 and 34-39 are rejected under 35 U.S.C. 102 (e) as being anticipated by Middleton III et al US 2002/0111865 A1.

As per claims 1-2, 4-21 and 34-39 Middleton discloses a computer method/system for tracking user micro-interactions with web page advertising, the method comprising of: Receiving an event signal from a client device associated with the user, wherein the event signal comprises data that is descriptive of a user interaction with a server device of the computer network; analyzing the data to identify a specific user interactions (see., abstract, page 3, [0033]-[0048]);

Retrieving a set of instructions that correspond to the data included in the event signal; extracting the data from the event signal in accordance with the retrieved instructions; storing the data in a database (see., abstract, pages 3 and 4, [0033]-[0050], specifically wherein said identifying regions on the page and then tracking user activity and relating it to the particular elements or regions on the page, storage 12B or database).

As per claim 3, Middleton Barnett discloses the claimed method wherein said additionally comprising extracting the item of data that is denoted by the tag identified in the instructions (see., abstract, page 4, [0050]).

5. The rejection to claims 1-21 and 34-39 under 35 U.S.C. 102 (e) as being anticipated by Ingrassia 332" as set forth in the office action mailed on 06/14/2006 is maintained.

6. Claims 1-21 and 34-39 are rejected under 35 U.S.C. 102 (e) as being anticipated by Ingrassia, Jr. et al (U.S. Pat. No. 6,035,332).

As per claims 1-21 and 34-39 Ingrassia discloses a method for monitoring user interactions with web pages from web server using data and command lists for maintaining information visited and issued by participants, the method comprising:

Receiving via a communication network a request for web page, the request originating from a client device, retrieving responsive web page content, said responsive web page content including an instruction configured to cause the client device to send a request for additional data to an event tracking server, sending the web page content to the client device, receiving at the event tracking server said request for additional data, parsing said request for additional data to obtain event tracking information, and storing the vent tracking information in a data storage area (see., abstract, figs 1-5, col1-col 20).

RESPONSE TO ARGUMENTS

6. Applicant's arguments filed on 11/14/2006 have been fully considered but they are moot in view of new group(s) of rejection.

7. In response to Applicant's arguments, Applicant submits that the invention is fully distinguished from Ingrassia. The claimed invention is directed toward an event-tracking that tracks user's web browsing interactions. However, the Examiner respectfully disagrees with this assertion because the cited reference Ingrassia is also directed toward an event-tracking that tracks user's web browsing interactions see., Ingrassia in the abstract, specifically wherein said a method for monitoring user interactions with web pages from web server using data and command lists for maintaining information visited and issued by participants.


Applicant further argues that Ingrassia uses an applet system that requires a separate application to be downloaded to the client device and executed, therefore is much less efficient than the present claims and requires more overhead. As indicated above, claims 34-39 do not recite how much overhead the claimed invention is needed, and therefore Applicant argument is moot.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 571 272 6706. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on 571 272 6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


PIERRE EDDY ELISCA
PRIMARY EXAMINER
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February 01, 2007